Government of Kerala
1977

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GOVERNMENT OF KERALA

Public Works (Transport-B) Department

NOTIFICATION

No. 26074/TB1/77/PW. *Dated, Trivandrum, 15th November 1977*

S. R. O. No. 1055/77.—The following draft amendments to the Kerala Motor Vehicles Rules, 1961 which the Government of Kerala propose to make in exercise of the powers conferred by section 41 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), is hereby published for general information, as required by sub-section (1) of section 133 of the said Act.

Notice is hereby given that the said draft will be taken up for consideration on or after 17-12-1977. Any objections or suggestions that may be received in respect of the said draft from any person likely to be affected thereby before the date specified above, will be considered by the Government. Objections or suggestions, if any, shall be addressed to the Special Secretary to Government, Public Works (Transport B) Department, Secretariat, Trivandrum.

DRAFT AMENDMENTS

In the said Rules, in rule 134, after clause (b) of sub-rule (1), the following clause shall be inserted, namely:—

(bb) *Penalty.*—If a vehicle is produced for renewal of certificate of fitness after its expiry, a penalty at the rate of Rs. 10 in the case of a contract carriage and Rs. 20 in the case of any other

transport vehicle shall be charged for every calendar month or part thereof, but the amount of penalty shall not exceed the amount of fee prescribed under rule 138 for renewal of certificate of fitness. The charging of the penalty will be without prejudice to any action which might have been or may be taken for plying the vehicle without certificate of fitness. But in the case of a motor vehicle which is not intended to be used or kept for use, the registered owner or the person having possession or control of such vehicle shall give previous intimation in writing to the Regional Transport Officer, concerned, that such vehicle would not be used for such period, and thereupon, the registered owner or such other person shall not be deemed to have used or kept for use such vehicle for such period, and no penalty shall be payable in respect of such vehicle for such period. However the registered owner or such other person shall be liable to pay the penalty, if on verification it is found that the motor vehicle has been used during such period or part thereof.

By order of the Governor,

M. K. BHASKARAN,

Additional Secretary to Government.

Explanatory Note

(This is not part of the notification but is intended to bring out the main purport).

Experience has shown that the vehicle owners are plying transport vehicles without the certificate of fitness duly renewed in time. It is also found that in certain cases the vehicle operators apply for renewal of certificate of fitness after a prolonged period. Non-renewal of certificate of fitness is illegal. Use of a vehicle without valid certificate of fitness constitutes danger to public safety. Government have, therefore, decided to amend the rules suitably with a view to curb the tendency. This amendment is to achieve the above object.

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